

## CHAPTER OVERVIEW:

This chapter outlines the Children's Division policies and procedures on the exploitation of children and their rights to privacy.

- 4.1. Child Exploitation, Public Performance and Media Involvement
  - 4.1.1 Request for Public Performance and Media Involvement
  - 4.1.2 Use of a Child's Personal Works
  - 4.1.3 Refusal of Public Performance and Media Involvement
  - 4.1.4 Children in Custody Photos for Adoption
  - 4.1.5 Children Not in Custody

### 4.1 Child Exploitation, Public Performance and Media Involvement

The Children's Division (CD) prohibits the exploitation of children and supports a child's right to privacy. The Court's permission is required **any time** a child's name or picture is used for public performance and media involvement. Public performance includes the following examples, agency fundraising, agency public relations events, speaker's bureau, residential Open Houses and tours, etc. Media involvement includes, but is not limited to, television, radio, the Internet, newspaper, magazines, or in any agency newsletter, brochure, flyer, video, or any other form of media.

#### 4.1.1 Request for Public Performance and Media Involvement

Any agency wishing to use the name or photograph of a child in Children's Division care and custody must contact the Children Service Worker (CSW) at least two (2) weeks prior to the scheduled event.

The CSW shall consult with their immediate supervisor regarding the request for public performance or media involvement. If age appropriate, the CSW shall discuss the public performance or media involvement request with the child and discuss his/her feelings about the specific request. **Importantly, the CSW shall explain to the child that their participation in the public performance or media involvement is strictly voluntary.** If the child expresses interest, and asks to participate in the specific request, the appropriate CD staff shall consult with the Court of Jurisdiction on each request for specified child. **At no time shall a child be disciplined or punished for the refusal of public performance or media involvement.**

Under no circumstances are CD staff authorized to sign a general release form to photograph a child without the expressed consent of the Juvenile or Family Court of jurisdiction. Furthermore, CD staff shall not share personal identifying information with the media relating to a child's case.

#### **4.1.2 Use of a Child's Personal works**

To use the personal works of a child, which includes, artwork, posters, poems, woodworks, etc, for public performance or media involvement requires the informed written consent of the child and his/her parent/guardian. In the event that the child and his/her parent/guardian grant permission for the use of such works and the child is credited or identified, **only the child's initials or first name** shall be used.

#### **4.1.3 Refusal of Public Performance and Media Involvement**

If it is determined that the requested public performance or media involvement is not in the best interest of the child, the CSW and their immediate supervisor shall consult with the Regional Director/designee for further consultation. The following examples, while not all inclusive, are reasons for refusing public performance or media involvement:

- The child safety and well-being would be at risk;
- The child has expressed that he/she does not want to participate;
- The requesting agency is using the child to promote its religious beliefs;
- The requesting agency is placing unreasonable demands for work on the child;
- The child's identity would not remain confidential;
- The child's current placement would be disrupted;
- The child's treatment and education would be negatively impacted;
- The child may be a danger to him or herself or others;
- The child is physically and mentally unable to participate; or
- The Court of Jurisdiction forbids the public performance or media involvement of the specific child.

After consultation with the Regional Director/Designee and providing notice to the Court of Jurisdiction of the CD decision, the CSW will notify the requesting agency **in writing** that the specific public performance or media involvement is not approved.

Any disapproval of a child's media involvement shall be documented in the child's case file.

#### **4.1.4 Children in Custody Photos for Adoption**

The Division shall ensure that the CD-AEM-1b is completed by the Court of Jurisdiction or authorized agency personnel for a child in need of special recruitment.

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SECTION 8: ADMINISTRATIVE  
CHAPTER 4: CHILD PUBLIC PERFORMANCE AND MEDIA INVOLVEMENT  
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Related Subject: <a href="#">Section 6, Chapter 1</a> , Recruitment of Resource Families, <a href="#">Attachment D</a> , Use of Photo Listing, and <a href="#">Attachment E</a> , Media Profile.
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#### **4.1.5 Children not in Custody**

Media involvement or public performance by a child **not** in the Children's Division care and custody requires signed consent by the child and the parent/guardian.

MEMORANDA HISTORY: CS02-38, [CD06-12](#)